

HOUSE BILL 762

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B2

2001 Regular Session
11r1430
CF 11r2936

By: **Delegates Bozman, Conway, and McClenahan**
Introduced and read first time: February 8, 2001
Assigned to: Appropriations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 24, 2001

CHAPTER _____

1 AN ACT concerning

2 **Creation of a State Debt - Worcester County - The Mar-Va Theater**

3 FOR the purpose of authorizing the creation of a State Debt not to exceed ~~\$150,000~~
4 \$50,000, the proceeds to be used as a grant to the Board of Directors of The
5 Mar-Va Theater Performing Arts Center, Inc. for certain development or
6 improvement purposes; providing for disbursement of the loan proceeds, subject
7 to a requirement that the grantee provide and expend a matching fund;
8 ~~requiring the grantee to grant and convey a certain easement to the Maryland~~
9 ~~Historical Trust~~; and providing generally for the issuance and sale of bonds
10 evidencing the loan.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That:

13 (1) The Board of Public Works may borrow money and incur indebtedness on
14 behalf of the State of Maryland through a State loan to be known as the Worcester
15 County - The Mar-Va Theater Loan of 2001 in a total principal amount equal to the
16 lesser of (i) ~~\$150,000~~ \$50,000 or (ii) the amount of the matching fund provided in
17 accordance with Section 1(5) below. This loan shall be evidenced by the issuance, sale,
18 and delivery of State general obligation bonds authorized by a resolution of the Board
19 of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through
20 8-124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

21 (2) The bonds to evidence this loan or installments of this loan may be sold as
22 a single issue or may be consolidated and sold as part of a single issue of bonds under
23 § 8-122 of the State Finance and Procurement Article.

24 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer
25 and first shall be applied to the payment of the expenses of issuing, selling, and

1 delivering the bonds, unless funds for this purpose are otherwise provided, and then
2 shall be credited on the books of the Comptroller and expended, on approval by the
3 Board of Public Works, for the following public purposes, including any applicable
4 architects' and engineers' fees: as a grant to the Board of Directors of The Mar-Va
5 Theater Performing Arts Center, Inc. (referred to hereafter in this Act as "the
6 grantee") for the repair, renovation, reconstruction, and capital equipping of the
7 historic performing arts and film theater in downtown Pocomoke City.

8 (4) An annual State tax is imposed on all assessable property in the State in
9 rate and amount sufficient to pay the principal of and interest on the bonds, as and
10 when due and until paid in full. The principal shall be discharged within 15 years
11 after the date of issuance of the bonds.

12 (5) Prior to the payment of any funds under the provisions of this Act for the
13 purposes set forth in Section 1(3) above, the grantee shall provide and expend a
14 matching fund. No part of the grantee's matching fund may be provided, either
15 directly or indirectly, from funds of the State, whether appropriated or
16 unappropriated. No part of the fund may consist of real property. The fund may
17 consist of in kind contributions or funds expended prior to the effective date of this
18 Act. In case of any dispute as to the amount of the matching fund or what money or
19 assets may qualify as matching funds, the Board of Public Works shall determine the
20 matter and the Board's decision is final. The grantee has until June 1, 2003, to
21 present evidence satisfactory to the Board of Public Works that a matching fund will
22 be provided. If satisfactory evidence is presented, the Board shall certify this fact and
23 the amount of the matching fund to the State Treasurer, and the proceeds of the loan
24 equal to the amount of the matching fund shall be expended for the purposes provided
25 in this Act. Any amount of the loan in excess of the amount of the matching fund
26 certified by the Board of Public Works shall be canceled and be of no further effect.

27 ~~(6) (a) Prior to the issuance of the bonds, the grantee shall grant and convey~~
28 ~~to the Maryland Historical Trust a perpetual preservation easement to the extent of~~
29 ~~its interest.~~

30 ~~(i) On the land or such portion of the land acceptable to the Trust;~~
31 ~~and~~

32 ~~(ii) On the exterior and interior, where appropriate, of the historic~~
33 ~~structures.~~

34 ~~(b) The easement must be in form and substance acceptable to the Trust~~
35 ~~and the extent of the interest to be encumbered must be acceptable to the Trust.~~

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 June 1, 2001.

